

By: Deshotel, Lopez

H.B. No. 680

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Texas Workforce Commission and local workforce development boards regarding the provision of child care.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2308.317, Government Code, is amended by adding Subsection (e) to read as follows:

(e) Each board shall, to the extent practicable, ensure that any professional development for child care providers, directors, and employees funded under Subsection (a):

(1) can be used toward requirements for a credential, certification, or degree program; and

(2) meets the professional development requirements of the Texas Rising Star Program.

SECTION 2. Section 302.0042, Labor Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The commission's evaluation must assess:

(1) the use of current federal child care funds by each local workforce development board;

(2) the ability of each local workforce development board to meet child care performance measures;

(3) the average cost of child care in each local workforce development area;

1 (4) the average price charged by child care providers
2 for child care in each local workforce development area as stated in
3 the market rate survey conducted under 45 C.F.R. Section 98.45(c);

4 (5) the poverty rate of each local workforce
5 development area compared to the state's poverty rate;

6 (6) ~~[(5)]~~ the number of children on waiting lists for
7 child care in each local workforce development area; ~~and~~

8 (7) ~~[(6)]~~ the number of places that are reserved for
9 participants in the child-care subsidy program out of the total
10 number of children enrolled with a provider on a full-time basis
11 categorized by age of the child for each provider ~~[vacant slots~~
12 ~~available for child care placement]~~ in each local workforce
13 development area that is certified as a 2-star, 3-star, or 4-star
14 provider in the Texas Rising Star Program or that does not
15 participate in the Texas Rising Star Program;

16 (8) the total number of child care providers
17 participating in the Texas Rising Star Program in each local
18 workforce development area and the number of 2-star, 3-star, and
19 4-star rated child care providers in the local workforce
20 development area;

21 (9) the number of child care providers participating
22 in the Texas Rising Star Program in each local workforce
23 development area as a percentage of the total number of subsidized
24 child care providers in the local workforce development area and
25 the number of 2-star, 3-star, and 4-star rated child care providers
26 in the local workforce development area as a percentage of the total
27 number of subsidized child care providers in the local workforce

1 development area;

2 (10) the total number of children enrolled in
3 subsidized child care providers participating in the Texas Rising
4 Star Program in each local workforce development area and the
5 number of subsidized children enrolled in 2-star, 3-star, and
6 4-star rated child care providers in the local workforce
7 development area; and

8 (11) the number of subsidized children enrolled in
9 child care providers participating in the Texas Rising Star Program
10 in each local workforce development area as a percentage of the
11 total number of subsidized children enrolled in child care
12 providers in the local workforce development area and the number of
13 subsidized children enrolled in 2-star, 3-star, and 4-star rated
14 child care providers in the local workforce development area as a
15 percentage of the total number of subsidized children enrolled in
16 child care providers in the local workforce development area.

17 (c) For the purposes of evaluation under this section, the
18 commission shall annually update the information described by
19 Subsections (b)(6)-(11).

20 SECTION 3. Section 302.0043, Labor Code, is amended by
21 adding Subsection (c-1) and amending Subsections (e) and (f) to
22 read as follows:

23 (c-1) The commission shall measure and evaluate the
24 progress of the commission's child care program regarding:

25 (1) coordination by the commission with the Texas
26 Education Agency to assign a Public Education Information
27 Management System (PEIMS) number to children younger than six years

1 of age enrolled in the commission's child care program;

2 (2) coordination with the Texas Education Agency,
3 school districts, and open-enrollment charter schools on any
4 prekindergarten quality improvement efforts;

5 (3) efforts to increase coordination between
6 participating providers in the commission's child care program,
7 school districts, and open-enrollment charter schools;

8 (4) facilitation of child care provider enrollment in
9 the Texas Rising Star Program and progression of providers to the
10 highest rating level in the program; and

11 (5) development and implementation of rates and
12 payments, as determined by local workforce development boards, to:

13 (A) allow participating providers to provide
14 high-quality child care; and

15 (B) ensure that the commission meets performance
16 measures established by the legislature for the average number of
17 children served by the commission's child-care program per day.

18 (e) The commission shall make the information collected by
19 the commission and the commission's findings available to local
20 workforce development boards, school districts, open-enrollment
21 charter schools, and the public.

22 (f) Not later than January 15 of each odd-numbered year, the
23 commission shall report to the legislature regarding the
24 commission's findings regarding the effectiveness of the
25 commission's child care program. The report must:

26 (1) include employment outcome information,
27 disaggregated by local workforce development area, regarding

1 parents receiving subsidized care under the program; ~~and~~

2 (2) identify multiyear trends in the information
3 collected and analyzed by the commission under this section,
4 including trends in the information for at least the five state
5 fiscal years preceding the date of the report; and

6 (3) include information described by Sections
7 302.0042(b)(8)-(11).

8 SECTION 4. Section 302.00435, Labor Code, is amended to
9 read as follows:

10 Sec. 302.00435. SUBSIDIZED CHILD CARE PROGRAM; INPUT
11 POLICY. (a) The commission shall develop a policy for obtaining,
12 through appropriate methods, input from interested parties
13 regarding its subsidized child care program and for using that
14 input in administering that program.

15 (b) The policy developed under Subsection (a) must include
16 methods for obtaining input from the Texas Education Agency, school
17 districts, open-enrollment charter schools, subsidized child care
18 providers, relevant businesses, and the public, regarding:

19 (1) improving coordination between the subsidized
20 child care program and prekindergarten programs; and

21 (2) increasing the quality of and access to the
22 subsidized child care program.

23 SECTION 5. Subchapter C, Chapter 302, Labor Code, is
24 amended by adding Section 302.0461 to read as follows:

25 Sec. 302.0461. CHILD CARE PROVIDER CONTRACT AGREEMENTS.

26 (a) A local workforce development board may contract with child
27 care providers operating in the board's area to provide subsidized

1 child care services. The local workforce development board shall
2 determine the number of places that the board reserves in the
3 contract with a child care provider participating in the
4 commission's subsidized child care program.

5 (b) To be eligible for a contract under Subsection (a), a
6 child care provider must:

7 (1) be a Texas Rising Star Program provider with a
8 three-star rating or higher; and

9 (2) meet one of the following priorities of the
10 commission:

11 (A) be located in:

12 (i) an area where the number of children
13 younger than six years of age who have working parents is at least
14 three times greater than the capacity of licensed child care
15 providers in the area; or

16 (ii) an area determined by the commission
17 to be underserved with respect to child care providers;

18 (B) have a partnership with a school district to
19 provide a prekindergarten program;

20 (C) have a partnership with the Early Head Start
21 or Head Start Program;

22 (D) increase the number of places reserved for
23 infants and toddlers by high-quality child care providers; or

24 (E) satisfy a requirement in the local workforce
25 development board's strategic plan.

26 (c) Not later than six months after a local workforce
27 development board enters into a contract under Subsection (a), the

1 board shall submit a report to the commission evaluating the
2 contract to determine its effect on:

3 (1) the financial stability of the child care provider
4 participating in the contract;

5 (2) the availability of high-quality child care
6 options for participants in the commission's subsidized child care
7 program in the workforce development area;

8 (3) the number of high-quality child care providers in
9 any part of the workforce development area with a high
10 concentration of families with a need for child care; and

11 (4) the percentage of children participating in the
12 commission's subsidized child care program at each Texas Rising
13 Star Program provider in the local workforce development area.

14 (d) The commission shall determine the information that
15 must be included in the report required by Subsection (c). A local
16 workforce development board shall update the report required by
17 Subsection (c) every six months from the date the board submits its
18 initial report to the commission.

19 SECTION 6. This Act takes effect September 1, 2019.